



Ohio Revised Code

Section 1513.30 Mining regulation and safety fund; selection of project areas.

Effective: September 29, 2017

Legislation: House Bill 49 - 132nd General Assembly

(A) There is hereby created in the state treasury the mining regulation and safety fund, to be administered by the chief of the division of mineral resources management. The fund shall be used for the following purposes:

- (1) Reclaiming land, public or private, affected by mining, or controlling mine drainage, for which no cash is held in the reclamation forfeiture fund created in section 1513.18 of the Revised Code;
- (2) Specified purposes in sections 1514.06, 1514.11, and 1561.48 of the Revised Code;
- (3) Administration and enforcement of Chapter 1513. of the Revised Code.

All investment earnings of the fund shall be deposited into the fund.

(B) In order to direct expenditures from the mining regulation and safety fund toward reclamation projects that fulfill priority needs and provide the greatest public benefits, the chief periodically shall consider projects to be financed from the mining regulation and safety fund. For the purpose of selecting project areas and determining the boundaries of project areas, the chief shall consider the feasibility, cost, and public benefits of reclaiming the areas, their potential for being mined, the availability of federal or other financial assistance for reclamation, and the geographic distribution of project areas to ensure fair distribution among affected areas.

(C) The chief shall give priority to areas where there is little or no likelihood of mining within the foreseeable future, reclamation is feasible at reasonable cost with available funds, and either of the following applies:

- (1) The pollution of the waters of the state and damage to adjacent property are most severe and widespread.



(2) Reclamation will make possible public uses for soil, water, forest, or wildlife conservation or public recreation purposes, will facilitate orderly commercial or industrial site development, or will facilitate the use or improve the enjoyment of nearby public conservation or recreation lands.

(D) Expenditures from the mining regulation and safety fund for reclamation projects may be made only for projects that are within the boundaries of project areas approved by the chief. Expenditures from the mining regulation and safety fund shall be made by the chief, with the approval of the director of natural resources.

(E) The chief may engage in cooperative projects under this section with any agency of the United States, appropriate state agencies, or state universities or colleges as defined in section 3345.27 of the Revised Code and may transfer money from the fund to other appropriate state agencies or to state universities or colleges in order to carry out the reclamation activities authorized by this section.

(F) Notwithstanding any other provisions of law to the contrary, money credited to the mining regulation and safety fund that is derived from taxes levied in division (A)(3) or (4) of section 5749.02 of the Revised Code shall not be used for any purposes authorized under this chapter.